

2009R00243/AME

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 10 cr 329-01 (DMC)  
 :  
 v. : 18 U.S.C. § 1029(b)(2)  
 :  
 KEITH SMITH : I N F O R M A T I O N

The defendant having waived in open court prosecution by Indictment, the United States Attorney for the District of New Jersey charges:

1. From at least as early as in or about March 2008, until in or about October 2008, in Union County, in the District of New Jersey, and elsewhere, the defendant

KEITH SMITH,

did knowingly, and with intent to defraud, conspire with J.R., J.H., J.M., and others to effect transactions, with one or more access devices, namely credit cards, issued to another person or persons, to receive payment and other things of value aggregating \$1,000 or more during a one-year period, contrary to Title 18, United States Code, Section 1029(a)(5).

2. It was the object of the conspiracy to fraudulently obtain credit cards in nominee names to purchase diesel fuel at various gas stations, which fuel defendant KEITH SMITH and his co-conspirators then resold to third-parties for more than \$400,000 in cash.

Overt Acts

3. In furtherance of the conspiracy, and to effect its unlawful object, defendant KEITH SMITH and his co-conspirators committed and caused to be committed the following overt acts, among others, in the District of New Jersey, and elsewhere:

a. On or about May 15, 2008, defendant KEITH SMITH and his co-conspirators recruited C.D. to obtain a credit card through Washington Mutual Bank, which credit card was then used by defendant KEITH SMITH and his co-conspirators to purchase approximately \$15,844 in diesel fuel at gas stations in Union County, New Jersey.

b. On or about May 28, 2008, defendant KEITH SMITH and his co-conspirators recruited K.L. to obtain a credit card through Washington Mutual Bank, which credit card was then used by defendant KEITH SMITH and his co-conspirators to purchase approximately \$18,834 in diesel fuel at gas stations in Union County, New Jersey.

c. On or about June 17, 2008, defendant KEITH SMITH and his co-conspirators recruited K.M. to obtain a credit card through Washington Mutual Bank, which credit card was then used by defendant KEITH SMITH and his co-conspirators to purchase approximately \$21,413 in diesel fuel at gas stations in Union County, New Jersey.

d. On or about June 24, 2008, defendant KEITH SMITH and his co-conspirators recruited S.H. to obtain a credit card through Washington Mutual Bank, which credit card was then used by defendant KEITH SMITH and his co-conspirators to purchase approximately \$6,688 in diesel fuel at gas stations in Union County, New Jersey.

e. On or about June 24, 2008, defendant KEITH SMITH and his co-conspirators recruited L.J. to obtain a credit card through Washington Mutual Bank, which credit card was then used by defendant KEITH SMITH and his co-conspirators to purchase approximately \$6,536 in diesel fuel at gas stations in Union County, New Jersey.

f. On or about June 25, 2008, defendant KEITH SMITH and his co-conspirators recruited C.P. to obtain a credit card through Washington Mutual Bank, which credit card was then used by defendant KEITH SMITH and his co-conspirators to purchase approximately \$8,538 in diesel fuel at gas stations in Union County, New Jersey.

In violation of Title 18, United States Code, Section 1029(b)(2).

  
PAUL J. FISHMAN  
United States Attorney

CASE NUMBER: \_\_\_\_\_

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**United States District Court  
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**UNITED STATES OF AMERICA**

**v.**

**KEITH SMITH**

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**INFORMATION FOR**

18 U.S.C. § 1029(b)(2)

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**PAUL J. FISHMAN**  
*U.S. ATTORNEY NEWARK, NEW JERSEY*

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